

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 6155-US-NP)

In the Application of:)	
Sarah S. BACUS et al.)	Examiner: HOLLERAN, Anne L
)	
Serial No.)	
10/600,129)	Group Art Unit: 1643
)	
Filed:)	
June 19, 2003)	
)	
For:)	Confirmation No.: 9778
Method for Predicting Response to Epidermal)	
Growth Factor Receptor-Directed Therapy)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. § 1.56 and §§ 1.97-98, the Applicants wish to make all references listed in the PTO IDS form enclosed herewith of record in the above-identified application. It is requested that each document cited (including any cited in Applicant's specification which is not repeated on the attached PTO IDS Form) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on the attached PTO IDS form. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

In accordance with Rule 37 CFR §1.98(a)(2), copies of the U.S. Patent and U.S. Patent Application references (references 1 and 2) listed on the PTO IDS form are not enclosed. Applicants have not supplied copies of these U. S. cited references believing the references to be available to the Examiner. Applicants would be happy to provide a copy for the Examiner's convenience upon request. Applicants respectfully ask the Examiner to telephone their

undersigned representative to obtain a copy if the unexpected unavailability of any of these references would preclude the Examiner from considering the reference and not initialing it on the accompanying PTO IDS form. Copies of all other references listed on the PTO IDS form accompany this Information Disclosure Statement.

The presently disclosed references were cited by the Examiner during the prosecution of divisional application number 11/548,386, which claims priority to the present application. It is Applicants' understanding that the Examiner has access to the prosecution history of application number 11/548,386. However, Applicants would be happy to provide a copy for the Examiner's convenience upon request.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: June 26, 2009

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